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OFFICE OF PETITIONS

Paul W. Johnson
207 Park Ave.
Lake Preston, SD 57249

In re Patent No. 5,689,918
Issue Date: November 25, 1997
Application No. 08/711,794
Filed: September 10, 1996
For: SIGN POST STABILIZER

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed August 23, 2012, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED AS UNTIMELY**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400.00 as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A petition filed pursuant to 37 CFR 1.378(c) must be submitted within 24 months of the date of expiration of the patent. The instant patent expired November 25, 2009 for failure to timely remit the 11.5 year maintenance fee. Accordingly, a petition filed pursuant to 37 CFR 1.378(c) was required by law to have been submitted no later than November 25, 2011. Accordingly, the instant petition is subject to dismissal as untimely filed.

Petitioner is entitled to a refund of the \$4,005.00 submitted with the instant petition. Petitioner may request a refund by writing to the Finance Office, Refund Section. A copy of this decision should accompany any request for refund.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
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By hand: U. S. Patent and Trademark Office
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Randolph Building
401 Dulany Street
Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (703) 571-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions